

# United States District Court

Southern

DISTRICT OF

New York

Medtech Products, Inc.

## SUMMONS IN A CIVIL CASE

V.

CASE NUMBER:

Dentek Oral Care, Inc.

07 CV 3304

JUDGE BRIEANT

TO: (Name and address of defendant)

Dentek Oral Care, Inc.  
307 Excellence Way  
Maryville, Tennessee 37801

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Karl Geercken, Esq.  
Amy Manning, Esq.  
Alston & Bird LLP  
90 Park Avenue  
New York, NY 10016

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

APR 24 2007

CLERK

*Manos Quintero*

DATE

(BY) DEPUTY CLERK

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
MEDTECH PRODUCTS INC.,

Plaintiff,

Case No. 07 CV 3304  
(Judge Briant)

-against-

AFFIDAVIT OF SERVICE

DENTEK ORAL CARE, INC.,

Defendant.  
-----X

STATE OF TENNESSEE )

S.S.:

COUNTY OF KNOX )

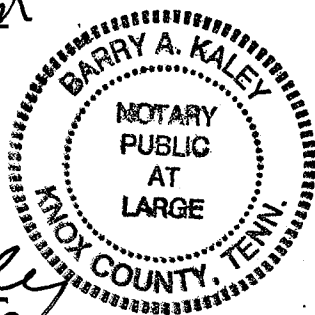
**ROBERT GOODEN**, being duly sworn, deposes and says that he/she is over the age of eighteen years, is an agent of the attorney service, D.L.S., Inc., and is not a party to this action.

That on the 26 day of April, 2007, at approximately the time of 1:15 PM, deponent served a true copy of the SUMMONS IN A CIVIL CASE; COMPLAINT FOR INJUNCTIVE RELIEF AND MONEY DAMAGES; INDIVIDUAL PRACTICES OF JUDGE CHARLES L. BRIANT; AND INDIVIDUAL PRACTICES OF MAGISTRATE JUDGE GEORGE A. YANTHIS upon DENTEK ORAL CARE, INC. at 307 Excellence Way, Maryville, TN, by personally delivering and leaving the same with **PHIL BYRGE** who informed deponent that he holds the position of **DIRECTOR OF OPERATIONS** with that company and is authorized by appointment to receive service at that address.

**Phil Byrge** is a white male, approximately 40 years of age, stands approximately 6 feet 1 inches tall, weighs approximately 185 pounds with pepper hair.

**Robert Gooden**  
PROCESS SERVER

Sworn to before me this  
3 day of May, 2007



**Barry A. Kaley**  
NOTARY PUBLIC

my commission expires JUNE 5, 2007